

City Council Introduction: **Monday**, May 16, 2005
Public Hearing: **Monday**, May 23, 2005, at **5:30** p.m.

Bill No. 05-56

FACTSHEET

TITLE: Ordinance requested by the Director of Parks & Recreation, to declare .24 acres, more or less, as surplus property, generally located southeast of the intersection of West Van Dorn Street and South Coddington Avenue.

STAFF RECOMMENDATION: A finding of conformance with the Comprehensive Plan.

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: Consent Agenda, 09/15/04
Administrative Action: 09/15/04

RECOMMENDATION: A finding of conformance with the Comprehensive Plan (7-0: Carlson, Carroll, Krieser, Larson, Marvin, Bills-Strand and Sunderman voting 'yes'; Taylor and Pearson absent).

FINDINGS OF FACT:

1. The proposed declaration of this property as surplus is a condition of approval of Use Permit No. 133 (05R-100) and allows the site plan to show Southwest 19th Street aligning with the proposed driveway on the north side of West Van Dorn Street. The remaining tract owned by the City is adequate for the development of a park.
2. The staff recommendation to find the proposed declaration of surplus property to be in conformance with the Comprehensive Plan is based upon the "Analysis" as set forth on p.3.
3. On September 15, 2004, this application appeared on the Consent Agenda of the Planning Commission and was opened for public hearing. No one came forward to speak.
4. On September 15, 2004, the Planning Commission agreed with the staff recommendation and voted 7-0 to find the proposed dedication of park land to be in conformance with the Comprehensive Plan.

FACTSHEET PREPARED BY: Jean L. Walker

DATE: May 9, 2005

REVIEWED BY: _____

DATE: May 9, 2005

REFERENCE NUMBER: FS\CC\2004\CPC.04006

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for September 15, 2004 PLANNING COMMISSION MEETING

P.A.S.: Comprehensive Plan Conformance #04006

PROPOSAL: Finding a declaration of surplus property for a tract of land in conformance with the Comprehensive Plan.

LOCATION: Southeast of the intersection of West Van Dorn Street and South Coddington Avenue.

LAND AREA: .24 acres, more or less.

CONCLUSION: A declaration of surplus for this property generally conforms to the Comprehensive Plan.

RECOMMENDATION:	Conforms to the Comprehensive Plan
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GENERAL INFORMATION:

LEGAL DESCRIPTION: See attached legal description.

EXISTING ZONING: AG Agriculture

EXISTING LAND USE: Vacant

SURROUNDING LAND USE AND ZONING:

North:	Commercial, Vacant	B-1, R-3 (B-2 proposed)
South:	Agriculture	AG
East:	Agriculture	AG (B-2 proposed)
West:	Agriculture	AG (B-2 proposed)

COMPREHENSIVE PLAN SPECIFICATIONS: The 2025 Comprehensive Plan designates this property as Urban Residential. (F 25)

ASSOCIATED APPLICATIONS:

ANN#01008 - To annex approximately five acres southeast of the intersection of West Van Dorn Street and South Coddington Avenue in conjunction with Use Permit #133 for West Van Dorn Plaza/Lee's Place. The Planning Commission recommended approval at the August 18, 2004 hearing.

CZ#3419 - A request to change AG, AGR, R-3, and B-1 to B-2 in conjunction with Use Permit #133

for West Van Dorn Plaza/Lee's Place. The Planning Commission recommended approval at the August 18, 2004 hearing.

UP#133 - West Van Dorn Plaza/Lee's Place - to allow approximately 40,000 square feet of office, retail and commercial floor area. The Planning Commission recommended approval at the August 18, 2004 hearing.

ANALYSIS:

1. This is a request by the Parks and Recreation Department to declare property generally located southeast of the intersection of West Van Dorn Street and South Coddington Avenue as surplus property.
2. This is in response to an inquiry from Stockwell Properties, LLC, which approached the City about a year ago seeking additional land to add to their holding southeast of the intersection. The additional land allows the site plan for Use Permit #133 to show Southwest 19th Street aligning with the proposed driveway on the north side of West Van Dorn Street.
3. The Stockwell parcel is surrounded by a much larger tract owned by the City. The City acquired it from the State of Nebraska a few years ago intending it as the site of a future park. If the surplus declaration is approved, Stockwell Properties will construct approximately 350' of Southwest 19th Street as shown on the use permit to provide access to both West Van Dorn Plaza and the City's tract, including a future park if developed.
4. If the surplus declaration is approved and an additional .6 acres are dedicated for street right-of-way, the remaining tract owned by the City is adequate for the development of a park. The construction of Southwest 19th Street will allow access to a future park off a local street.
5. This surplus declaration is a condition of approval for Use Permit #133, and must be approved by City Council prior to their consideration of the use permit.

Prepared by:

Brian Will
441-6362, bwill@lincoln.ne.gov
August 27, 2004

Applicant/ Lynn Johnson
Contact: Parks and Recreation Department
2740 A Street
Lincoln, NE 68502 402.441.7847

Owner: City Of Lincoln
555 South 10th Street
Lincoln, NE 68508

COMPREHENSIVE PLAN CONFORMANCE NO. 04006

CONSENT AGENDA

PUBLIC HEARING & ADMINISTRATIVE ACTION

BEFORE PLANNING COMMISSION:

September 15, 2004

Members present: Carlson, Carroll, Krieser, Larson, Marvin, Bills-Strand and Sunderman; Taylor and Pearson absent.

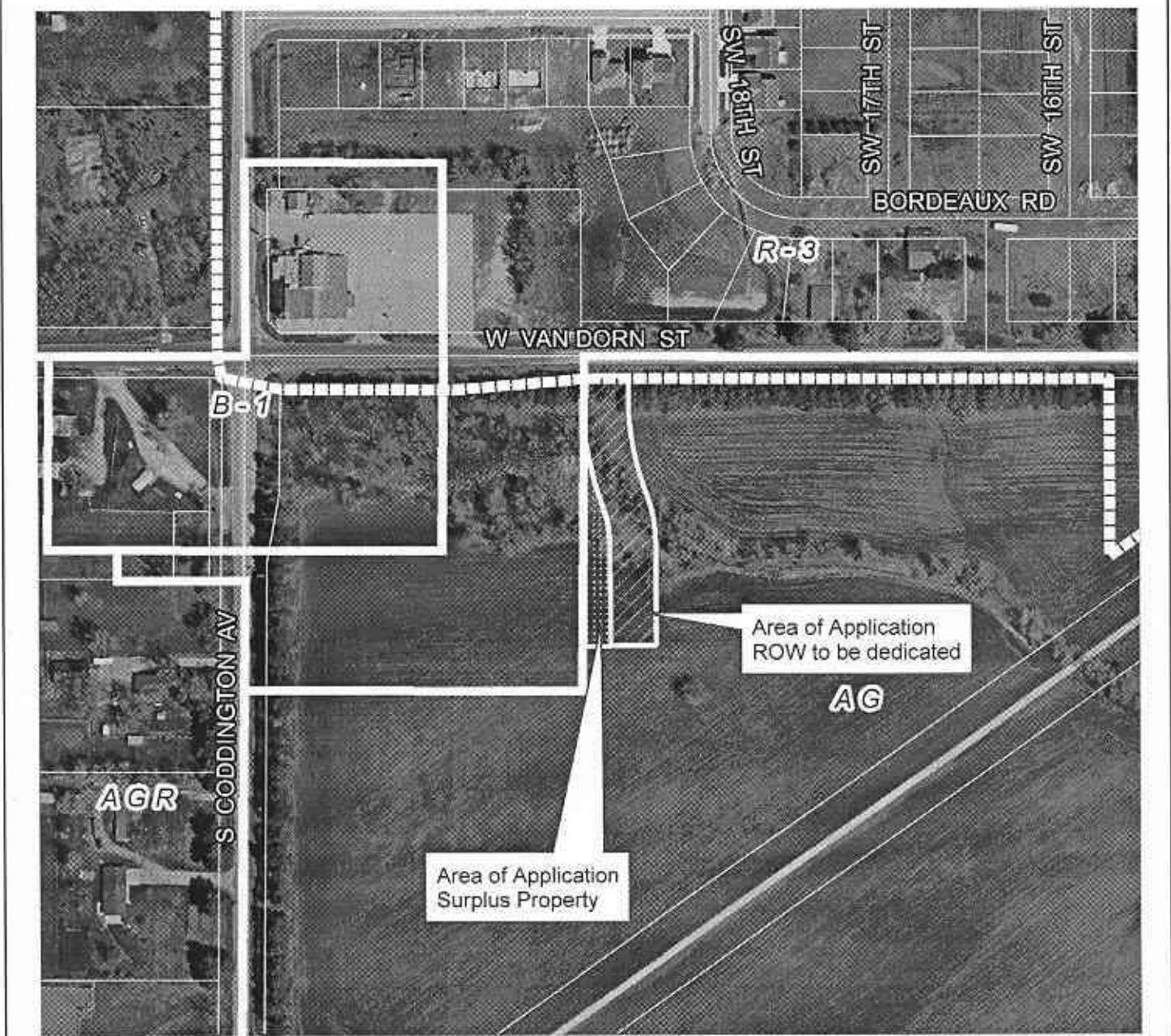
The Consent Agenda consisted of the following items: **CHANGE OF ZONE NO. 04045; MISCELLANEOUS NO. 04009; SPECIAL PERMIT NO. 04045; COUNTY SPECIAL PERMIT NO. 04046, MUSTANG RIDGE COMMUNITY UNIT PLAN; COUNTY PRELIMINARY PLAT NO. 04020, MUSTANG RIDGE; COMPREHENSIVE PLAN CONFORMANCE NO. 04005; and COMPREHENSIVE PLAN CONFORMANCE NO. 04006.**

Item No. 1.1b, Miscellaneous No. 04009, Item No. 1.3a, County Special Permit No. 04046 and Item No. 1.3b, County Preliminary Plat No. 04020, were removed from the Consent Agenda and had separate public hearing.

Ex Parte Communications: Marvin reported a phone call from Bob Norris encouraging the approval of Change of Zone No. 04045.

Marvin moved to approve the remaining Consent Agenda, seconded by Krieser and carried 7-0: Carlson, Carroll, Krieser, Larson, Marvin, Bills-Strand and Sunderman voting 'yes'; Taylor and Pearson absent.

Note: This is final action on Special Permit No. 04045, unless appealed to the City Council by filing a letter of appeal with the City Clerk within 14 days of the action by the Planning Commission.



Comp. Plan Conformance #04006
W. Van Dorn Plaza
W. Van Dorn & S. Coddington

2002 aerial

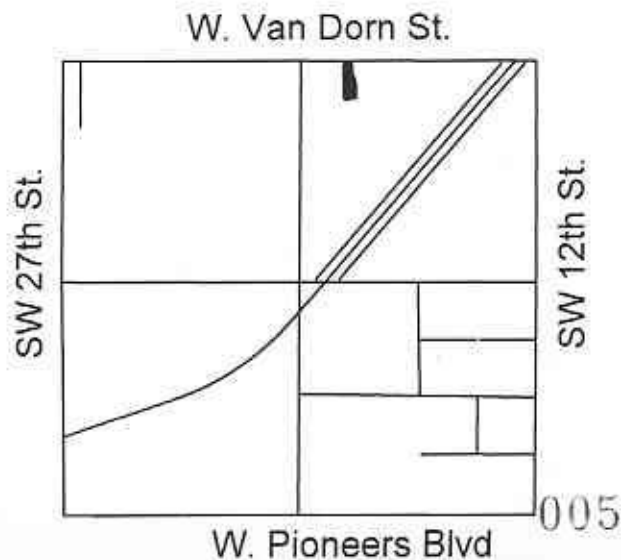
Zoning:

- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- R-C Residential Conservation District
- O-1 Office District
- O-2 Suburban Office District
- O-3 Office Park District
- R-T Residential Transition District
- B-1 Local Business District
- B-2 Planned Neighborhood Business District
- B-3 Commercial District
- B-4 Lincoln Center Business District
- B-5 Planned Regional Business District
- H-1 Interstate Commercial District
- H-2 Highway Business District
- H-3 Highway Commercial District
- H-4 General Commercial District
- I-1 Industrial District
- I-2 Industrial Park District
- I-3 Employment Center District
- P Public Use District

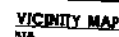
One Square Mile
 Sec. 4 T9N R6E



Zoning Jurisdiction Lines
 City Limit Jurisdiction

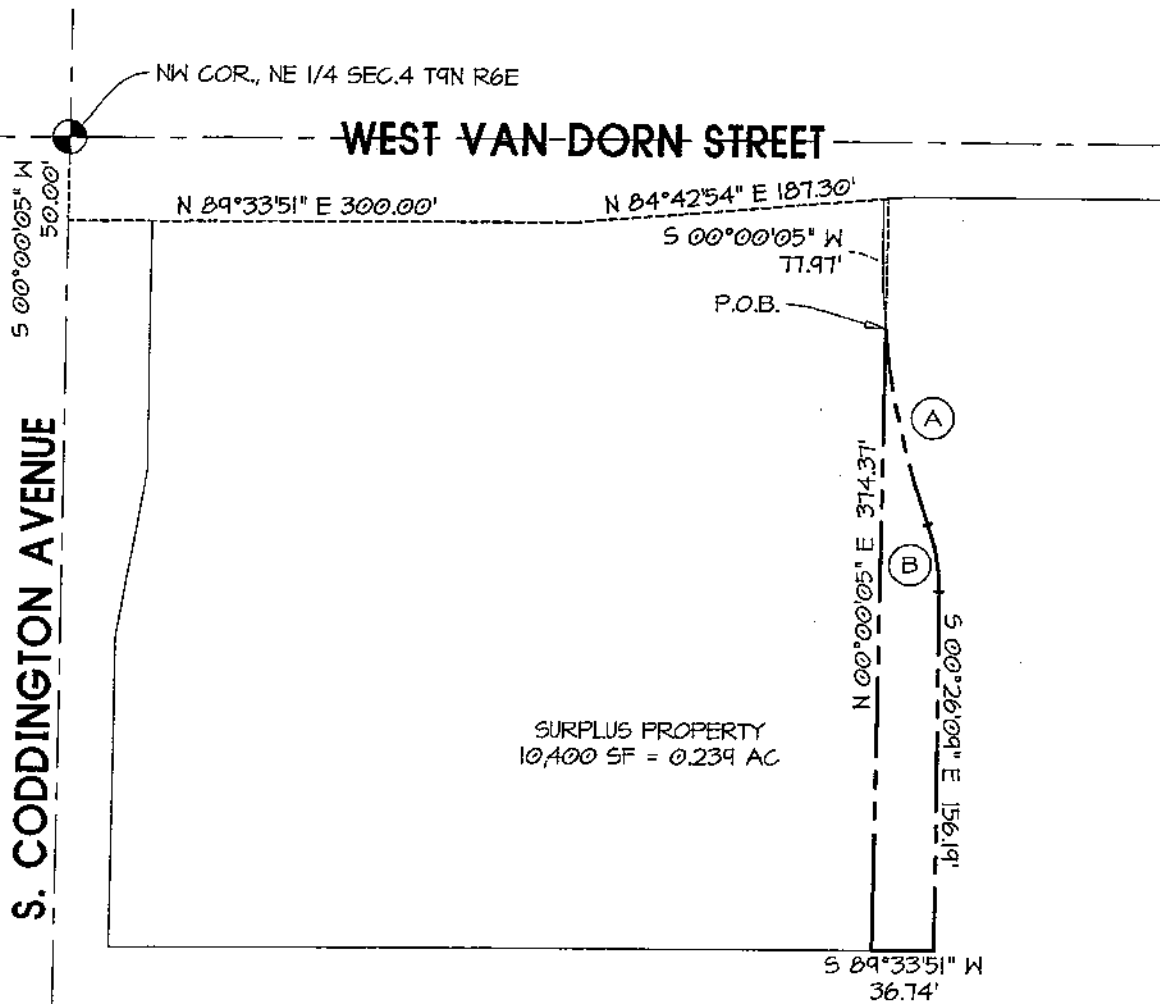


Lincoln City - Lancaster County Planning De



↑ North
Not to Scale.

006

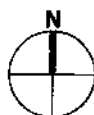


(A)

R=483.00'
L=121.38'
T=61.01'
Δ=14°23'51"
CL=121.06'
CB=S 13°14'10" E

(B)

R=117.00'
L=40.84'
T=20.63'
Δ=20°00'00"
CL=40.63'
CB=S 10°26'09" E



SURPLUS PROPERTY

SCALE: 1" = 100'

CODDINGTON AND VAN DORN
LEGAL DESCRIPTION

SURPLUS PROPERTY:

A PORTION OF Lot 40 LOCATED IN THE NORTHEAST QUARTER OF SECTION 4,
TOWNSHIP 9 NORTH, RANGE 6 EAST OF THE 6TH P.M., LANCASTER COUNTY,
NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER:
THENCE ON THE WEST LINE OF SAID NORTHEAST QUARTER, ON AN ASSUMED
BEARING OF S 00°00'05" W, A DISTANCE OF 50.00 FEET; THENCE N 89°33'51" E, A
DISTANCE OF 300.00 FEET; THENCE N 84°42'54" E, A DISTANCE OF 187.30 FEET;
THENCE S 00°00'05" W, A DISTANCE OF 77.97 FEET TO THE POINT OF BEGINNING:

THENCE ON A CURVE TO THE LEFT, HAVING A RADIUS OF 483.00 FEET, A CENTRAL
ANGLE OF 14°23'57", A CURVE LENGTH OF 121.38 FEET, A CHORD LENGTH OF 121.06
FEET AND A CHORD BEARING OF S 13°14'10" E TO A POINT OF REVERSE CURVATURE,

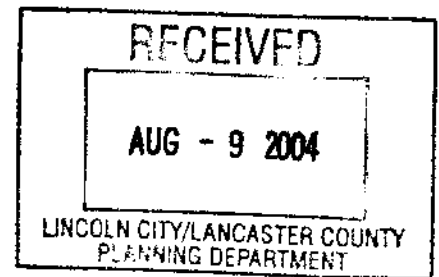
THENCE ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 117.00 FEET, A CENTRAL
ANGLE OF 20°00'00", A CURVE LENGTH OF 40.84 FEET, A CHORD LENGTH OF 40.63
FEET AND A CHORD BEARING OF S 10°26'09" E TO A POINT OF TANGENCY,

THENCE S 00°26'09" E, A DISTANCE OF 156.19 FEET,
THENCE S 89°33'51" W, A DISTANCE OF 36.74 FEET,
THENCE N 00°00'05" E, A DISTANCE OF 374.37 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINING AN AREA OF 0.24 ACRES, MORE OR LESS.

Memorandum

August 6, 2004



TO: Marvin Krout, Planning

FR: Lynn Johnson, Parks and Recreation

A handwritten signature in cursive script that reads "Lynn Johnson".

RE: Declaration of Surplus Property adjoining Proposed West Van Dorn Plaza Use Permit

The purpose of this memo is to request review of a declaration of surplus property adjoining the proposed West Van Dorn Plaza at West Van Dorn Street and South Coddington Avenue for consistency with the Comprehensive Plan. The property is described as follows:

Right-of-way for SW 19th Street south/southeast of West Van Dorn Street, 66 feet in width and extending approximately 360 feet south of West Van Dorn Street (approximately 23,800 square feet); and

An intervening area between said proposed right-of-way and a north/south boundary of the adjoining parcel located approximately 419 feet west of the southeast intersection of the right-of-way of West Van Dorn Street and South Coddington Avenue (approximately 10,100 square feet).

Background

In 2002, the City of Lincoln purchased approximately 55 acres of land southeasterly of the intersection of West Van Dorn Street and South Coddington Avenue for a future community park, and for a Lincoln Water System booster station. Subsequent to acquiring the property, Parks and Recreation Department staff have been involved in discussions with the adjoining property owner regarding plans for developing the commercially zoned property. Specifically, discussions have focused on dedication of public right-of-way and development of a public street providing access to the proposed commercial development and to the future park site. The alignment for this public street as recommended by Public Works and Utilities Department staff results in an area of land between the right-of-way and the proposed commercial development. The property owner has offered to fund the street improvements in the new right-of-way area in exchange for acquisition of the intervening area of land. (Please see attached drawing for a depiction of the proposed right-of-way, and the intervening area of land.)

Consistency with the Comprehensive Plan

The Lincoln/Lancaster County Comprehensive Plan identifies the general location of future community park sites, and states that these areas should be approximately 30 to 50 acres in size. Dedication of the right-of-way as described above and transfer of

ownership of the intervening area of land results in a reduction in area for the future community park of 0.8 acres. The remaining area is adequately sized and configured to allow development of the site for a community park.

Recommendation

The Parks and Recreation Advisory Board reviewed the proposal to dedicate public right-of-way and transfer ownership of the intervening area of land during their regular monthly meeting on June 3, 2004 and recommended approval of the actions.

Parks and Recreation Department staff recommend adoption of findings that dedication of the right-of-way for a public street provides appropriate access for a future community park, and transfer of ownership of the intervening land area does not restrict development of the site as a community park.

Please phone me at 441-8265 with questions or comments.